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(Modified) PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
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1644
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **6**

Application Number

09/888,324

Filing Date

June 22, 2001

First Named Inventor

Juha Punnonen

Group Art Unit

1644

Examiner Name

Ilia I. Ouspenski

Attorney Docket Number

0169.310US

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

13 References; Return Postcard

Authorization to Charge Deposit Account

Please charge Deposit Account No. **50-0990** for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Margaret A. Powers – Reg. No. 39,804

Signature

Date

April 13, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop: Amendment on this date:

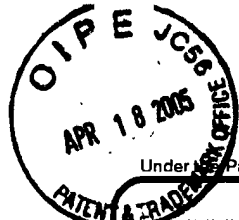
Typed or printed name

Ann Massey

Signature

Date

April 15, 2005



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Effective on 12/08/2004.

As pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

Complete if Known

Application Number	09/888,324
Filing Date	June 22, 2001
First Named Inventor	Juha Punnonen
Examiner Name	Iliia I. Ouspenski
Art Unit	1644
Attorney Docket No.	0169.310US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 50-0990 Deposit Account Name: Maxygen, Inc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims Fee (\$) Fee Paid (\$)

- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

6 - 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Submission of Suppl. Information Disclosure Statement 180.00

SUBMITTED BY

Signature		Registration No. 39,804 (Attorney/Agent)	Telephone (650) 298-5809
Name (Print/Type)	Margaret A. Powers		Date 4/13/05

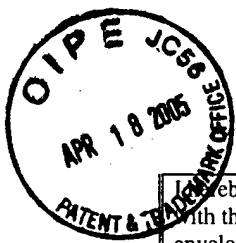
Certificate of Mailing under 37 C.F.R. §1.8

I hereby certify that this is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, Mail Stop: AMENDMENT on the date below:

Typed or Printed Name: ANN MASSEY

Signature: Ann Massey

Date: April 15, 2005



Attorney Docket No. 0169.310US

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
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Alexandria, VA 22313-1450
Mail-Stop: Amendment

On April 15, 2005

By Ann Massey
Ann Massey

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Juha Punnonen *et al.*

Examiner: Ilia I. Ouspenski

Application No: 09/888,324

Art Unit: 1644

Filed: June 22, 2001

For: NOVEL CO-STIMULATORY
MOLECULES

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37 CFR
§ 1.97 and § 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail-Stop: Amendment

Sir:


The references cited on attached form PTO/SB/08A-B are being called to the attention of the Examiner. Copies of all cited references, except cited US patents, are enclosed. Pursuant to 37 CFR § 1.98, copies of cited US patents and applications need not be provided. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This Supplemental Information Disclosure Statement is being filed after the mailing date of the first Office Action and more than three months after the filing date of the application, but prior to the Notice Of Allowance or Final Action. The Commissioner is hereby authorized to charge \$180.00 to the undersigned's Deposit Account No. 50-0990. The Commissioner is also authorized to charge any additional fees that may be required and/or to credit any overpayment to the Deposit Account No. 50-0990.

Respectfully submitted,

By: 
Margaret A. Powers
Reg. No. 39,804

April 13, 2005
MAXYGEN, INC.
Intellectual Property Department
515 Galveston Drive
Redwood City, California 94063
Telephone: (650) 298-5809
Facsimile: (650) 298-5446
Customer No. 30560



Substitute for form 1449A-B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>	Complete if Known	
	Application Number	09/888,324
	Filing Date	June 22, 2001
	First Named Inventor	Juha Punnonen, <i>et al.</i>
	Group Art Unit	1644
	Examiner Name	Ilia I. Ouspenski
	Attorney Docket Number	0169.310US

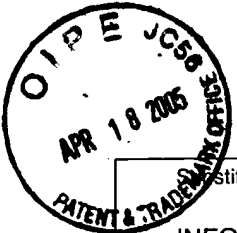
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
	A1	6,084,067		Freeman <i>et al.</i>	07/04/2000	
	A2	6,071,716		Freeman <i>et al.</i>	06/06/2000	
	A3	5,861,310		Freeman <i>et al.</i>	01/19/1999	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				
	A4	WO	95/03408		Dana-Farber Cancer Institute	02/02/1995		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s).		T
	A5	DOTY, Raymond T. <i>et al.</i> , "Subcellular localization of CD80 receptors is dependent on an intact cytoplasmic tail and is required for CD28-dependent T cell costimulation," <i>Journal of Immunology</i> 157:3270-3279 (1996)		
	A6	FREEMAN, Gordon J. <i>et al.</i> , "Cloning of B7-2: A CTLA-4 counter-receptor that costimulates human T cell proliferation," <i>Science</i> 262:909-911 (November 1993)		
	A7	JENKINS, Marc K., "The ups and downs of T Cell costimulation," <i>Immunity</i> 1:443-446 (September 1994)		
	A8	KARANDIKAR, Nitin J. <i>et al.</i> , "CTLA-4: A negative regulator of autoimmune disease," <i>J. Exp. Med.</i> , 184:783-788 (August 1996)		
	A9	LAZETIC, Sasha <i>et al.</i> , "Chimeric co-stimulatory molecules that selectively act through CD28 or CTLA-4 on human t cells," <i>Journal of Biological Chemistry</i> 277(41):38660-38668 (2002)		
	A10	LINSLEY, Peter S. <i>et al.</i> , "Human B7-1 (CD80) and B7-2 (CD86) bind with similar avidities but distinct kinetics to CD28 and CTLA-4 receptors," <i>Immunity</i> 1:793-801 (December 1994)		
	A11	LINSLEY, Peter S. <i>et al.</i> , "Binding of the B cell activation antigen B7 to CD28 costimulates T cell proliferation and interleukin 2 mRNA accumulation," <i>J. Exp. Med.</i> 173:721-730 (March 1991)		
	A12	PATTEN, Phillip <i>et al.</i> , "Applications of DNA shuffling to pharmaceuticals and vaccines," <i>Current Opinion in Biotechnology</i> 8:724-733 (1997)		
	A13	PEACH, Robert J. <i>et al.</i> , "Both extracellular immunoglobulin-like domains of CD80 contain residues critical for binding T cell surface receptors CTLA-4 and CD28," <i>Journal of Biological Chemistry</i> 270(86):21181-21187 (1995)		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Institute for form 1449A-B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Complete if Known	
	Application Number	09/888,324
	Filing Date	June 22, 2001
	First Named Inventor	Juha Punnonen, et al.
	Group Art Unit	1644
	Examiner Name	Ilia I. Ouspenski
	Attorney Docket Number	0169.310US

	A14	STEMMER, Willem P.C., "Searching sequence space: Using recombination to search more efficiently and thoroughly instead of making bigger combinatorial libraries," <i>Biotechnology</i> 13:549-553 (June 1995)	
	A15	STURMHOFEL, Knut, "Potent activity of soluble B7-1gG fusion proteins in therapy of established tumors and as vaccine adjuvant," <i>Cancer Research</i> 59:4964-4972 (October 1999)	
	A16	SWINIARSKI, Holly et al., "Immune response enhancement by in vivo administration of B7.21g, a soluble costimulatory protein," <i>Clinical Immunology</i> 92(3):235-245 (1999)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.